
HOUSE BILL No. 1616

DIGEST OF INTRODUCED BILL

Citations Affected: IC 6-3.5-4-0.5; IC 6-6-5-1; IC 7.1-1-3-26.3; IC 9-13-2; IC 9-17-2; IC 9-18; IC 9-19; IC 9-21; IC 9-24-13; IC 9-25-1-7; IC 9-26-1-0.3; IC 9-29-5-2; IC 14-19-1-0.5; IC 20-30-13-11.

Synopsis: Motorized bicycles. Requires a motorized bicycle that is operated on a highway to be titled and registered with the bureau of motor vehicles, with a registration fee equal to that of a motorcycle. Requires that certain funds received from the registration of a motorized bicycle be deposited in the motorcycle operator safety education fund. Requires the operator of a motorized bicycle on a highway to have an identification card or driver's license in the operator's immediate possession when operating the motorized bicycle. Requires a dealer of at least 12 motorized bicycles a year to register as a dealer with the secretary of state. Prohibits the operation of a motorized bicycle without financial responsibility in effect on the motorized bicycle. Requires certain individuals to file accident reports after an accident involving a motorized bicycle. Repeals the term "motor scooter". Makes conforming changes. Makes technical corrections. Deletes outdated language.

Effective: Upon passage; July 1, 2009.

Smith M, Tincher

January 16, 2009, read first time and referred to Committee on Interstate and International Cooperation.

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First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

HOUSE BILL No. 1616

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 6-3.5-4-0.5 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2009]: **Sec. 0.5. This chapter applies to a motorized bicycle that**
4 **is registered with the bureau of motor vehicles after June 30, 2009.**

5 SECTION 2. IC 6-6-5-1, AS AMENDED BY P.L.2-2007,
6 SECTION 126, IS AMENDED TO READ AS FOLLOWS
7 [EFFECTIVE JULY 1, 2009]: Sec. 1. (a) As used in this chapter,
8 "vehicle" means a vehicle subject to annual registration as a condition
9 of its operation on the public highways pursuant to the motor vehicle
10 registration laws of the state. **After June 30, 2009, the term includes**
11 **a motorized bicycle (as defined in IC 9-13-2-109).**

12 (b) As used in this chapter, "mobile home" means a
13 nonself-propelled vehicle designed for occupancy as a dwelling or
14 sleeping place.

15 (c) As used in this chapter, "bureau" means the bureau of motor
16 vehicles.

17 (d) As used in this chapter, "license branch" means a branch office



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of the bureau authorized to register motor vehicles pursuant to the laws of the state.

(e) As used in this chapter, "owner" means the person in whose name the vehicle or trailer is registered (as defined in IC 9-13-2).

(f) As used in this chapter, "motor home" means a self-propelled vehicle having been designed and built as an integral part thereof having living and sleeping quarters, including that which is commonly referred to as a recreational vehicle.

(g) As used in this chapter, "last preceding annual excise tax liability" means either:

(1) the amount of excise tax liability to which the vehicle was subject on the owner's last preceding regular annual registration date; or

(2) the amount of excise tax liability to which a vehicle that was registered after the owner's last preceding annual registration date would have been subject if it had been registered on that date.

(h) As used in this chapter, "trailer" means a device having a gross vehicle weight equal to or less than three thousand (3,000) pounds that is pulled behind a vehicle and that is subject to annual registration as a condition of its operation on the public highways pursuant to the motor vehicle registration laws of the state. The term includes any utility, boat, or other two (2) wheeled trailer.

(i) This chapter does not apply to the following:

(1) Vehicles owned, or leased and operated, by the United States, the state, or political subdivisions of the state.

(2) Mobile homes and motor homes.

(3) Vehicles assessed under IC 6-1.1-8.

(4) Vehicles subject to registration as trucks under the motor vehicle registration laws of the state, except trucks having a declared gross weight not exceeding eleven thousand (11,000) pounds, trailers, semitrailers, tractors, and buses.

(5) Vehicles owned, or leased and operated, by a postsecondary educational institution described in IC 6-3-3-5(d).

(6) Vehicles owned, or leased and operated, by a volunteer fire department (as defined in IC 36-8-12-2).

(7) Vehicles owned, or leased and operated, by a volunteer emergency ambulance service that:

(A) meets the requirements of IC 16-31; and

(B) has only members that serve for no compensation or a nominal annual compensation of not more than three thousand five hundred dollars (\$3,500).

(8) Vehicles that are exempt from the payment of registration fees

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under IC 9-18-3-1.

(9) Farm wagons.

SECTION 3. IC 7.1-1-3-26.3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 26.3. ~~(a)~~ "Motor vehicle" means a vehicle that is self-propelled.

~~(b) The term does not include a motorized bicycle (as defined in IC 9-13-2-109).~~

SECTION 4. IC 9-13-2-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 3. "Antique motor vehicle" means a motor vehicle ~~or motor scooter~~ that is at least twenty-five (25) years old.

SECTION 5. IC 9-13-2-42, AS AMENDED BY P.L.131-2008, SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 42. (a) "Dealer" means, except as otherwise provided in this section, a person who sells to the general public, including a person who sells directly by the Internet or other computer network, at least twelve (12) vehicles each year for delivery in Indiana. The term includes a person who sells off-road vehicles **and motorized bicycles**. A dealer must have an established place of business that meets the minimum standards prescribed by the bureau under rules adopted under IC 4-22-2.

(b) The term does not include the following:

(1) A receiver, trustee, or other person appointed by or acting under the judgment or order of a court.

(2) A public officer while performing official duties.

(3) A person who is a dealer solely because of activities as a transfer dealer.

(c) "Dealer", for purposes of IC 9-31, means a person that sells to the general public for delivery in Indiana at least six (6):

(1) boats; or

(2) trailers:

(A) designed and used exclusively for the transportation of watercraft; and

(B) sold in general association with the sale of watercraft; per year.

SECTION 6. IC 9-13-2-105, AS AMENDED BY P.L.191-2007, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 105. (a) "Motor vehicle" means, except as otherwise provided in this section, a vehicle that is self-propelled. The term does not include a farm tractor, an implement of agriculture designed to be operated primarily in a farm field or on farm premises, or an electric personal assistive mobility device.

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(b) "Motor vehicle", for purposes of IC 9-21, means

~~(1) a vehicle except a motorized bicycle that is self-propelled; or~~

~~(2) a vehicle that is propelled by electric power obtained from overhead trolley wires, but not operated upon rails.~~

(c) "Motor vehicle", for purposes of IC 9-19-10.5 and IC 9-25, means a vehicle that is self-propelled upon a highway in Indiana. The term does not include a farm tractor.

~~(d) "Motor vehicle", for purposes of IC 9-30-10, does not include a motorized bicycle.~~

~~(e)~~ (d) "Motor vehicle", for purposes of IC 9-23-2 and IC 9-23-3, includes a semitrailer.

SECTION 7. IC 9-13-2-123, AS AMENDED BY P.L.214-2007, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 123. "Passenger motor vehicle" means a motor vehicle designed for carrying passengers. The term includes a low speed vehicle but does not include a motorcycle, **a motorized bicycle**, a bus, a school bus, or an off-road vehicle.

SECTION 8. IC 9-17-2-1.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 1.7. After June 30, 2009, a person may not operate a motorized bicycle upon a highway without having obtained a certificate of title from the bureau.**

SECTION 9. IC 9-17-2-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 4. If a certificate of title:

- (1) has been previously issued for a vehicle in Indiana, an application for a certificate of title must be accompanied by the previously issued certificate of title, unless otherwise provided; or
- (2) has not previously been issued for a vehicle in Indiana, an application for a certificate of title must be accompanied by a manufacturer's certificate of origin as provided in IC 9-17-8, unless otherwise provided.

The bureau shall adopt rules under IC 4-22-2 to determine the indication of ownership for a motorized bicycle.

SECTION 10. IC 9-17-2-5, AS AMENDED BY P.L.219-2005, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 5. If an application for a certificate of title is for a vehicle or off-road vehicle brought into Indiana from another state, the application must be accompanied by:

- (1) the certificate of title issued for the vehicle or off-road vehicle by the other state if the other state has a certificate of title law;
- (2) a sworn bill of sale or dealer's invoice fully describing the vehicle or off-road vehicle and the most recent registration receipt

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1 issued for the vehicle or off-road vehicle if the other state does not
 2 have a certificate of title law; or
 3 (3) other information that the bureau requires, if the other state
 4 does not have a certificate of title or registration law that pertains
 5 to the vehicle or off-road vehicle.

6 **The bureau shall adopt rules under IC 4-22-2 to determine the**
 7 **indication of ownership for a motorized bicycle.**

8 SECTION 11. IC 9-17-2-12, AS AMENDED BY P.L.107-2008,
 9 SECTION 10, AND AS AMENDED BY P.L.131-2008, SECTION 40,
 10 IS CORRECTED AND AMENDED TO READ AS FOLLOWS
 11 [EFFECTIVE JULY 1, 2009]: Sec. 12. (a) As used in this section,
 12 "dealer" refers to a dealer that has:

- 13 (1) been in business for not less than five (5) years; and
 14 (2) sold not less than one hundred fifty (150) motor vehicles
 15 during the preceding *calendar* year.

16 (b) This section does not apply to the following:

- 17 (1) A new motor vehicle or recreational vehicle sold by a dealer
 18 licensed by the state.
 19 (2) A motor vehicle or recreational vehicle transferred or assigned
 20 on a certificate of title issued by the bureau.
 21 (3) A motor vehicle that is registered under the International
 22 Registration Plan.
 23 (4) A motor vehicle that is titled in the name of a financial
 24 institution, lending institution, or insurance company in Canada
 25 and imported by a registered importer, if:

26 (A) the registered importer complies with section 12.5(a) of
 27 this chapter; and

28 (B) section 12.5(d) of this chapter does not apply to the motor
 29 vehicle.

30 (5) A motor vehicle that is titled in another state and is in the
 31 lawful possession of a financial institution, a lending institution,
 32 or an insurance company, if:

33 (A) the financial institution, lending institution, or insurance
 34 company complies with section 12.5(b) of this chapter; and

35 (B) section 12.5(d) of this chapter does not apply to the motor
 36 vehicle.

37 **(6) A motorized bicycle.**

38 (c) An application for a certificate of title for a motor vehicle or
 39 recreational vehicle may not be accepted by the bureau unless the
 40 motor vehicle or recreational vehicle has been inspected by one (1) of
 41 the following:

- 42 (1) An employee of a dealer designated by the ~~bureau~~ secretary

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of state to perform an inspection.

(2) A military policeman assigned to a military post in Indiana.

(3) A police officer.

(4) A designated employee of the bureau.

(d) A person described in subsection (c) inspecting a motor vehicle, semitrailer, or recreational vehicle shall do the following:

(1) Make a record of inspection upon the application form prepared by the bureau.

(2) Verify the facts set out in the application.

SECTION 12. IC 9-18-2-29, AS AMENDED BY P.L.210-2005, SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 29. Except as otherwise provided, before:

(1) a motor vehicle;

(2) a motorcycle;

(3) a truck;

(4) a trailer;

(5) a semitrailer;

(6) a tractor;

(7) a bus;

(8) a school bus;

(9) a recreational vehicle; ~~or~~

(10) special machinery; ~~or~~

(11) a motorized bicycle beginning on July 1, 2009;

is operated or driven on a highway, the person who owns the vehicle must register the vehicle with the bureau and pay the applicable registration fee.

SECTION 13. IC 9-18-12-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 4. (a) If a person who registers an antique motor vehicle under this chapter makes substantial alterations or changes to the vehicle after the date of the antique motor vehicle's registration, the registrant shall have the vehicle reinspected by the state police department.

(b) If the antique motor vehicle is not found to be in a mechanical condition that guarantees the vehicle's safe operation upon the highways, the mechanical condition shall be reported to the bureau. The bureau shall do the following:

(1) Immediately cancel the registration of the antique motor vehicle.

(2) Notify the person who registered the antique motor vehicle of the cancellation.

~~(c) A motor scooter registered under this chapter is not required to have equipment that was not original on the motor scooter.~~

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SECTION 14. IC 9-19-3-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 1. A motor vehicle other than a motorcycle or ~~motor-driven cycle~~, **motorized bicycle**, when operated upon a highway, must be equipped with brakes adequate to control the movement of and to stop and hold the vehicle. The brakes must include two (2) separate means of applying the brakes, each of which means must apply the brakes to at least two (2) wheels. If these two (2) separate means of applying the brakes are connected in any way, the means must be constructed so that failure of one (1) part of the operating mechanism does not leave the motor vehicle without brakes on at least two (2) wheels.

SECTION 15. IC 9-19-3-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 2. A motorcycle and a ~~motor-driven cycle~~, **motorized bicycle**, when operated upon a highway, must be equipped with at least one (1) brake, which may be operated by hand or foot.

SECTION 16. IC 9-19-3-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 4. (a) Except as provided in subsections (b) through (c), a new motor vehicle, trailer, or semitrailer sold in Indiana and operated upon the highways must be equipped with service brakes upon all wheels of the vehicle.

(b) The following are not required to be equipped with **service** brakes:

(1) A motorcycle or ~~motor-driven cycle~~, **motorized bicycle**.

(2) A semitrailer of less than three thousand (3,000) pounds gross weight.

(c) A truck or truck-tractor having at least three (3) axles is not required to have service brakes on the front wheels. If a truck or truck-tractor is equipped with at least two (2) steerable axles, the wheels of one (1) steerable axle are not required to have service brakes although the truck or truck-tractor must be capable of complying with the performance requirements of sections 7 through 8 of this chapter.

SECTION 17. IC 9-19-6-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 3. (a) A motor vehicle other than a motorcycle or ~~motor-driven cycle~~ **motorized bicycle** must be equipped with at least two (2) head lamps, with at least one (1) of the head lamps on each side of the front of the motor vehicle. The head lamps must comply with this chapter.

(b) Except as provided in subsection (c), a motorcycle and ~~motor-driven cycle~~ **motorized bicycle** must be equipped with at least one (1) and not more than two (2) head lamps that comply with this chapter.

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(c) A motorcycle manufactured before January 1, 1956, is not required to be equipped with a head lamp if the motorcycle is not operated at the times when lighted head lamps and other illuminating devices are required under IC 9-21-7-2.

(d) A head lamp upon a motor vehicle, including a motorcycle and ~~motor-driven cycle~~, **motorized bicycle**, must be located at a height measured from the center of the head lamp of not less than twenty-four (24) inches and not more than fifty-four (54) inches to be measured as set forth in section 2(b) of this chapter.

SECTION 18. IC 9-19-6-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 5. (a) Except as provided in subsections (b) through (d), a new motor vehicle sold and operated upon a highway, other than a truck-tractor, must carry on the rear, either as a part of the tail lamps or separately, two (2) red reflectors.

(b) Except as provided in subsection (c), a motorcycle and ~~motor-driven cycle~~ **motorized bicycle** must carry at least one (1) reflector meeting the requirements of this section.

(c) A motorcycle manufactured before January 1, 1956, is not required to carry a reflector under this section if the motorcycle is not operated at the times when lighted head lamps and other illuminating devices are required under IC 9-21-7-2.

(d) A vehicle of the type listed in section 7 of this chapter must be equipped with reflectors as required in those sections applicable to those vehicles.

(e) A reflector must be mounted on a vehicle at a height not less than twenty (20) inches and not more than sixty (60) inches as measured in the manner set forth in section 2(b) of this chapter. Except as otherwise provided, a reflector must be of the size and characteristics and mounted so as to be visible at night from all distances within three hundred fifty (350) feet to one hundred (100) feet from the vehicle when directly in front of lawful upper beams of head lamps.

SECTION 19. IC 9-19-6-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 6. (a) Except as provided in subsection (b), a person may not:

(1) sell; or

(2) drive on the highways;

in Indiana a motor vehicle, including a motorcycle or ~~motor-driven cycle~~ **motorized bicycle**, unless the vehicle is equipped with at least one (1) stoplight meeting the requirements of section 17 of this chapter.

(b) A motorcycle manufactured before January 1, 1956, is not

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required to be equipped with a stoplight under subsection (a) if the motorcycle is not operated at the times when lighted head lamps and other illuminating devices are required under IC 9-21-7-2.

(c) This subsection does not apply to a motorcycle or ~~motor-driven cycle~~; **motorized bicycle**. A person may not:

- (1) sell;
- (2) offer for sale; or
- (3) operate on the highways;

a motor vehicle, trailer, or semitrailer registered in Indiana and manufactured or assembled after January 1, 1956, unless the vehicle is equipped with mechanical or electrical turn signals meeting the requirements of section 17 of this chapter.

SECTION 20. IC 9-19-6-20 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 20. Except as otherwise provided in this chapter, the head lamps, the auxiliary driving lamp, the auxiliary passing lamp, or a combination of these lamps on motor vehicles, other than motorcycles or ~~motor-driven cycles~~; **motorized bicycles**, must be arranged so that the driver may select between distributions of light projected to different elevations. The lamps may, in addition, be arranged so that the selection can be made automatically, subject to the following limitations:

(1) There must be an uppermost distribution of light, or composite beam, aimed and of an intensity to reveal persons and vehicles at a distance of at least three hundred fifty (350) feet ahead for all conditions of loading.

(2) There must be a lowermost distribution of light, or composite beam, aimed and of an intensity to reveal persons and vehicles at a distance of at least one hundred (100) feet ahead. On a straight level road, under any condition of loading, none of the high-intensity part of the beam may be directed to strike the eyes of an approaching driver.

(3) A new motor vehicle, other than a motorcycle or ~~motor-driven cycle~~; **motorized bicycle**, registered in Indiana after January 1, 1956, that has multiple-beam road lighting equipment must be equipped with a beam indicator that must be lighted whenever the uppermost distribution of light from the head lamps is in use. The beam indicator must not otherwise be lighted. The beam indicator must be designed and located so that when lighted the indicator is readily visible without glare to the driver of the vehicle so equipped.

SECTION 21. IC 9-19-6-22 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 22. (a) The head lamp

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or head lamps upon a ~~motor-driven cycle~~ **motorcycle or motorized bicycle** may be of the single-beam or multiple-beam type.

(b) A head lamp on a ~~motor-driven cycle~~ **motorcycle or motorized bicycle** must be of sufficient intensity to reveal a person or a vehicle at a distance of not less than:

(1) one hundred (100) feet when the ~~motor-driven cycle~~ **motorcycle or motorized bicycle** is operated at a speed of less than twenty-five (25) miles per hour;

(2) two hundred (200) feet when the ~~motor-driven cycle~~ **motorcycle or motorized bicycle** is operated at a speed of at least twenty-five (25) miles per hour; and

(3) three hundred (300) feet when the ~~motor-driven cycle~~ **motorcycle or motorized bicycle** is operated at a speed of at least thirty-five (35) miles per hour.

(c) If a ~~motor-driven cycle~~ **motorcycle or motorized bicycle** is equipped with a multiple beam head lamp, the upper beam must meet the minimum requirements set forth in this section and must not exceed the limitations set forth in section 20(1) of this chapter and the lowermost distribution of light as set forth in section 20(2) of this chapter.

(d) If a ~~motor-driven cycle~~ **motorcycle or motorized bicycle** is equipped with a single beam lamp, the lamp must be aimed so that when the vehicle is loaded none of the high-intensity part of the light will, at a distance of twenty-five (25) feet ahead, project higher than the level of the center of the lamp from which the light comes.

SECTION 22. IC 9-19-19-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 2. A motor vehicle, except a motorcycle or a ~~motor-driven cycle~~, **motorized bicycle**, required to be registered with the bureau must be equipped with a front windshield.

SECTION 23. IC 9-21-7-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 8. (a) This section applies to a vehicle that is parked or stopped upon a roadway or shoulder adjacent to a roadway between thirty (30) minutes after sunset and thirty (30) minutes before sunrise.

(b) If there is sufficient light to reveal a person or object within a distance of five hundred (500) feet upon the street or highway upon which the vehicle is parked, no lights need be displayed upon the parked vehicle.

(c) This subsection does not apply to a ~~motor-driven cycle~~, **motorized bicycle**. This subsection applies whether a vehicle parked or stopped is attended or unattended. If there is not sufficient light to

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1 reveal a person or object within a distance of five hundred (500) feet
 2 upon the highway upon which the vehicle is parked or stopped, the
 3 vehicle parked or stopped shall be equipped with one (1) or more lamps
 4 that meet the following requirements:

5 (1) At least one (1) lamp must display a white or amber light
 6 visible from a distance of five hundred (500) feet to the front of
 7 the vehicle.

8 (2) The lamp described in subdivision (1) or at least one (1) other
 9 lamp must display a red light visible from a distance of five
 10 hundred (500) feet to the rear of the vehicle.

11 (3) The lamp or lamps described in subdivisions (1) and (2) shall
 12 be installed as near as practicable on the side of the vehicle that
 13 is closest to passing traffic.

14 (d) Lighted head lamps upon a parked vehicle must be depressed or
 15 dimmed.

16 SECTION 24. IC 9-21-8-20 IS AMENDED TO READ AS
 17 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 20. The Indiana
 18 department of transportation may by resolution or order entered in its
 19 minutes, and local authorities may by ordinance, with respect to any
 20 freeway or interstate highway system under their respective
 21 jurisdictions, prohibit the use of a highway by pedestrians, bicycles, or
 22 other nonmotorized traffic or by a person operating a ~~motor-driven~~
 23 ~~cycle~~ **motorized bicycle**. The Indiana department of transportation or
 24 the local authority adopting a prohibiting regulation shall erect and
 25 maintain official signs on the freeway or interstate highway system on
 26 which the regulations are applicable. If signs are erected, a person may
 27 not disobey the restrictions stated on the signs.

28 SECTION 25. IC 9-24-13-3 IS AMENDED TO READ AS
 29 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 3. (a) An individual
 30 holding a permit or license issued under this article must have the
 31 permit or license in the individual's immediate possession when driving
 32 or operating a motor vehicle. The permittee or licensee shall display the
 33 license or permit upon demand of a court or a police officer authorized
 34 by law to enforce motor vehicle rules.

35 (b) **An individual operating a motorized bicycle under**
 36 **IC 9-21-11-12 must have the identification card, permit, operator's**
 37 **license, chauffeur's license, or public passenger chauffeur's license**
 38 **in the individual's immediate possession when driving or operating**
 39 **the motorized bicycle. The individual shall display the**
 40 **identification card, permit, or license upon demand of a court or a**
 41 **police officer authorized by law to enforce motor vehicle rules.**

42 SECTION 26. IC 9-24-13-6 IS AMENDED TO READ AS

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FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 6. (a) Subject to subsection (b), in a proceeding to enforce section 3 of this chapter, the burden is on the defendant to prove by a preponderance of the evidence that the defendant had been issued a **driving driver's** license or **permit identification card** that was valid at the time of the alleged violation.

(b) ~~A person~~ **An individual** may not be convicted of violating section 3 of this chapter if the ~~person~~, **individual**, within five (5) days from the time of apprehension, produces to the apprehending officer or headquarters of the apprehending officer satisfactory evidence of a ~~permit or the driver's~~ license or **permit** issued to the ~~person~~ **individual** that was valid at the time of the ~~person's~~ **individual's** apprehension.

SECTION 27. IC 9-25-1-7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 7. After June 30, 2009, this article applies to a motorized bicycle that is operated or driven on a highway.**

SECTION 28. IC 9-26-1-0.3 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 0.3. After June 30, 2009, this article applies to a motorized bicycle that is operated or driven on a highway.**

SECTION 29. IC 9-29-5-2, AS AMENDED BY P.L.97-2008, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 2. (a) ~~This subsection expires December 31, 2008. The fee for the registration of a motorcycle is twenty-seven dollars (\$27). The revenue from this fee shall be allocated as follows:~~

(1) Seven dollars (\$7) to the motorcycle operator safety education fund established by ~~IC 20-30-13-11~~.

(2) An amount prescribed as a license branch service charge under ~~IC 9-29-3~~.

(3) Ten dollars (\$10) to the spinal cord and brain injury fund established by ~~IC 16-41-42.2-3~~.

(4) The balance to the state general fund for credit to the motor vehicle highway account.

(b) ~~This subsection applies after December 31, 2008. The fee for the registration of a motorcycle or a motorized bicycle is seventeen dollars and thirty cents (\$17.30). The revenue from this fee shall be allocated as follows:~~

(1) Seven dollars (\$7) to the motorcycle operator safety education fund established by IC 20-30-13-11.

(2) An amount prescribed as a license branch service charge under IC 9-29-3.

(3) Thirty cents (\$0.30) to the spinal cord and brain injury fund

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under IC 16-41-42.2-3, as provided under section 0.5 of this chapter.

(4) The balance to the state general fund for credit to the motor vehicle highway account.

SECTION 30. IC 14-19-1-0.5, AS ADDED BY P.L.225-2005, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 0.5. (a) "Motorized cart" means a conveyance that is:

- (1) motor driven, either by gas or electricity;
- (2) used to carry passengers or equipment; and
- (3) smaller than the types of motor vehicles required to be registered by the bureau of motor vehicles such as a:
 - (A) passenger motor vehicle (as defined in IC 9-13-2-123);
 - (B) recreational vehicle (as defined in IC 9-13-2-150); or
 - (C) truck (as defined in IC 9-13-2-188).

A motorized cart may be characterized as a golf cart, utility cart, or similar form of motor vehicle.

(b) The term does not include:

- (1) an electric personal assistive mobility device (as defined in IC 9-13-2-49.3);
- (2) a motorcycle (as defined in IC 9-13-2-108);
- ~~(3) a motor scooter (as defined in IC 9-13-2-104);~~
- ~~(4)~~ (3) a motorized bicycle (as defined in IC 9-13-2-109); or
- ~~(5)~~ (4) an off-road vehicle.

SECTION 31. IC 20-30-13-11, AS ADDED BY P.L.1-2005, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 11. The motorcycle operator safety education fund is established. The fund consists of money received from motorcycle **and motorized bicycle** registrations as provided under IC 9-29. The money in the fund is appropriated to the department for the administration of the program and expenses related to the program, including:

- (1) reimbursement for course sites;
- (2) instructor training;
- (3) purchase of equipment and course materials; and
- (4) technical assistance.

SECTION 32. IC 9-13-2-104 IS REPEALED [EFFECTIVE JULY 1, 2009].

SECTION 33. [EFFECTIVE JULY 1, 2009] (a) **As used in this SECTION, "motorized bicycle" has the meaning set forth in IC 9-13-2-109.**

(b) **Notwithstanding IC 9-13-2-42, as amended by this act, a**

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1 person who engages in the business of selling at least twelve (12)
 2 motorized bicycles to the general public each year for delivery in
 3 Indiana whose business name begins with the letters A through L,
 4 inclusive, is not required to apply for a dealer's license under
 5 IC 9-23-2 with the bureau of motor vehicles until the month in
 6 2010 required by IC 9-23-2-8.

7 (c) This SECTION expires December 31, 2010.

8 SECTION 34. [EFFECTIVE UPON PASSAGE] (a)
 9 Notwithstanding IC 9-17-2-4 and IC 9-17-2-5, both as amended by
 10 this act, the bureau of motor vehicles shall carry out the duties
 11 imposed upon the bureau of motor vehicles under interim written
 12 guidelines approved by the commissioner of the bureau of motor
 13 vehicles.

14 (b) This SECTION expires on the earlier of the following:

15 (1) The date rules are adopted under IC 9-17-2-4 and
 16 IC 9-17-2-5, both as amended by this act.

17 (2) December 31, 2010.

18 SECTION 35. An emergency is declared for this act.

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